

THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:	§	
	§	
GWENDELYN BUFFINGTON	§	CASE NO. 24-42227-R
XXX-XX-8232	§	
2324 YEAGER ST	§	CHAPTER 13
FORT WORTH, TX 76112	§	
	§	
DEBTOR	§	

TRUSTEE'S REPORT FOR CONFIRMATION AND WITNESS AND EXHIBIT LIST

**TRUSTEE'S REPORT FOR CONFIRMATION**

Attorney for Debtor: HERRIN LAW PLLC

Trustee: CAREY D. EBERT

Plan filed on: October 22, 2024

Confirmation Hearing: December 04, 2024

Applicable Commitment Period: 36

I. Budget Information

A. Monthly income:

Debtor	\$	2,260.05
Joint Debtor	\$	0.00
Other	\$	0.00
Total	\$	2,260.05
Expenses	\$	2,032.00
Difference	\$	228.05

B. Monthly plan payments \*

\$225.00	for 60 months =	\$	13,500.00
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II. Analysis of Plan

A. Monthly plan payment	*
B. Plan duration in months	60
C. Total to be paid into plan	\$ 13,500.00
D. Administrative allowance (10% of total to be paid into plan)	\$ 1,350.00
E. Net available to creditors	\$ 12,150.00

The Plan proposes the following treatment of the listed claims:

Creditor	Proposed Principal Amount	Rate	Term	Monthly Payment	Total
<b><u>TREATMENT OF SECURED CLAIMS:</u></b>					
<b>Section 3.5 - Direct Payment of Secured Claims not in Default</b>					
EECU	\$0.00	0.00		\$442.00	\$0.00
2021 INFINITY Q50 (Debtor is disbursing agent)					
<b>TOTAL PAID TO SECURED CLAIMS:</b>					\$ 0.00

**TREATMENT OF ADMINISTRATIVE EXPENSES, DSO CLAIMS AND OTHER PRIORITY CLAIMS:**

**Section 4.3 - Attorney Fees:**

HERRIN LAW PLLC	\$3,919.00	0.00		\$0.00	\$3,919.00
DEBTOR ATTORNEY					
<b>TOTAL PAID TO PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS:</b>					\$ 3,919.00

**Section 5.2 - General Unsecured Claims**

Allowed nonpriority unsecured claims shall comprise a single class of creditors and will be paid:

- ☐ 100% + interest
- ☐ 100% + interest with no future modifications to treatment under this section
- ☒ Pro Rata Share of all funds remaining after payment of all secured, priority, and specially classified unsecured claims.

Debtor Non Exempt Property	\$7,940.00
Trustee Asserted Non Exempt Property	\$7,940.00
<b>TOTAL PAID TO PRIORITY, SPECIALLY CLASSIFIED UNSECURED AND SECURED CLAIMS:</b>	<b>\$3,919.00</b>
<b>AMOUNT AVAILABLE TO UNSECURED CLAIMS:</b>	<b>\$8,231.00</b>
<b>PROJECTED DISPOSABLE INCOME AMOUNT UNDER 11 USC §1325(b):</b>	<b>\$2,940.84</b>

The Trustee objects to confirmation on the following grounds:

- It does not appear that the Debtor has dedicated all projected disposable income to the proposed plan as required by 11 USC §1325(b)(1)(B). Trustee is unable to determine disposable income at this time
- The Debtor has not tendered to the Chapter 13 Trustee the following documents:
  - Tax returns for the following year(s): 2023
  - Paystubs for Debtor - current and pre-filing
  - Current declaration regarding status of post-petition obligations. (TXEB Local Form 3015-c)

### **WITNESS AND EXHIBIT LIST**

The Trustee reserves the right to call as a witness any or all of the following listed persons in relation to confirmation:

1. Carey D. Ebert
3. Debtor
4. Any witness designated by other party

The Trustee reserves the right to introduce into evidence any or all of the following:

1. Copy of the Trustee's Confirmation Report, Witness and Exhibit List
2. Copies of any schedules or pleadings as filed herein by the Debtor or any other party
3. Copies of any Proof of Claim as filed herein by any creditor or other party
4. Copies of any Chapter 13 Plan and amendments thereof filed herein by the Debtor
5. Copy of the latest computer printout from the Trustee's office representing the Chapter 13 Plan payments received by the Trustee from the Debtor
6. If the Debtor is self-employed, the Debtor's monthly operating reports or profit and loss statements provided to the Trustee
7. Copies of the Debtor's prior years' tax returns as provided to the Trustee
8. Copy of Required Amendments sheet from the §341 Meeting of Creditors
9. Copy of any other document produced by the Debtor at the §341 Meeting of Creditors, or subsequently produced by the Debtor to the Trustee
10. Copy of the current issue of the Dallas/Fort Worth Metroplex Apartment Guide and/or copies of current reports from [www.apartmentratings.com](http://www.apartmentratings.com)
11. Reports from news media sources for the DFW Metroplex
12. Copies of any other exhibits designated by any other party

Copies of these exhibits will be provided by the Trustee upon request by any party.

Respectfully submitted,

/s/ Carey D. Ebert

Carey D. Ebert, TBN 05332500  
Office of the Standing Chapter 13 Trustee  
500 North Central Expressway, Suite 350  
Plano, Texas 75074  
(972) 943-2580  
ch13plano@ch13plano.com

CERTIFICATE OF SERVICE

This is to certify the foregoing has been served on: (a) the parties listed below by either first class mail, the Court's electronic filing system (ECF), or by electronic means the recipient has consented to in writing; (b) all other parties receiving ECF notice; and (c) on any other party as listed in any additional certificate of service filed in connection with this pleading.

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MATTHEW T TAPLETT  
POPE HARDWICK CHRISTIE ET AL  
500 WEST 7TH ST SUITE 600/UNIT 9  
FORT WORTH, TX 76102-4995

Dated: November 25, 2024

/s/ Carey D. Ebert  
Office of the Standing Chapter 13 Trustee